

16 December 2004

Miss Salumi Chan
Clerk to Panel on Public Service
Legislative Council
Legislative Council Building
8 Jackson Road, Central
Hong Kong

Dear Miss Chan,

Post-retirement Employment

I am grateful to the Secretary for Civil Service for clarifying my case and should like to reiterate the previous public statements made by Hong Kong Ferry (Holdings) Co. Ltd. (hereinafter referred to as “HKF”) and myself as follows:

- a) Both HKF and myself have complied fully with the Government’s policy, civil service regulations and procedures relating to the employment of post-retirement employment of former civil servants. We have also consulted legal advice where appropriate and necessary.
- b) The areas of work approved by SCS for me to undertake with HKF include cultural work. I did not apply to work on land / property matters and HKF, myself, as well as the Chairman of Henderson Land Group have repeatedly stated that I have never done such work. If any party insists that I have been involved in land/property transactions during my employment with HKF since 15 April 2004 despite the denials and clarification made by both HKF as my employer and myself as employee, as a civil contentious issue, the burden of proof to the contrary lies with the alleger.

- c) The West Kowloon Cultural District (WKCD) project is a mega project which in Henderson's case, involves over 30 outside consultancy firms, including consultants on cultural aspects. In the case of Henderson's WKCD bid, only the Chairman and the Vice Chairman of the Group are aware of all aspects of the bid while consultants work on their assignments. These management arrangements are very different from those in the Government where every civil servant who is involved in a project, even in a minor role, sits in on most coordination meetings.

- d) As regards the view that HKF's cultural advice on WKCD has given Henderson's bid an "unfair advantage", I would like to point out that the labour market is a free market and that I am not the only former Government cultural worker who is alive and still working. Furthermore, my involvement with local and overseas culture personalities began long, long before I became Director of Urban Services (between February 1997 and August 1999.)

- e) I would like to clarify further the 3rd bullet point in the Annex to CSB's letter of 14 December 2004. When I was in China from 11 to 16 November 2004, CSB wrote to me on 11 November 2004 to request me not to be involved in publicity on Henderson's WKCD bid. The date of CSB's letter is important as the press conference hosted by the Chairman of Henderson, and attended by myself, took place on the evening of 10 November 2004 i.e. before CSB wrote to me. Since 11 November 2004, I have complied fully with CSB's wishes.

Yours sincerely,

(Elaine Chung Lai-kwok)

cc : Mr. P. H. Li